

OCT 13 2009

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PTO/SB/88 (03-79)

Approved for use through 03/31/2012. OMB 0851-0018  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF  
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))

Docket Number (Optional)

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OCT 21 2009

OFFICE OF PETITIONS

Mail to: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No. 6751804Application Number 10/657004Issue Date 6/22/04Filing Date 9/8/03

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above -- identified patent

Is a reissue of original Patent No. 6751804 original issue date 6/22/04original application number 10/657004original filing date 9/8/03

resulted from the entry into the U.S. under 35 U.S.C. 371 of international application

filed on \_\_\_\_\_

## CERTIFICATE OF MAILING (37 CFR 1.89(a))

I hereby certify that this paper ("along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

5-21-2009

Date

Robert J. Warner

Signature

Robert J. Warner

Typed or Printed Name of Person Signing Certificate

[page 1 of 3]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

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OCT 13 2009

PTO/SB/06 (03-09)

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## 1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

## 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

## 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input checked="" type="checkbox"/> \$	3 1/2 yr fee	(1551)	<input checked="" type="checkbox"/> \$ 490	3 1/2 yr fee	(2551)
<input type="checkbox"/> \$	7 1/2 yr fee	(1552)	<input type="checkbox"/> \$	7 1/2 yr fee	(2552)
<input type="checkbox"/> \$	11 1/2 yr fee	(1553)	<input type="checkbox"/> \$	11 1/2 yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$

## 4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1640 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of a maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 1640

## 5. MANNER OF PAYMENT

☒ Enclosed is a check for the sum of \$ 2200☐ Please charge Deposit Account No. the sum of \$☐ Payment by credit card. Form PTO-2038 is attached.

## 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☐ The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No.

PTO/SB/86 (03-09)

Approved for use through 03/31/2012. OMB 0651-0016

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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## 7. OVERPAYMENT

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## 8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

## 9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED

Robert J. Warner

Signature(s) of Petitioner(s)

5/21/09

Date

Robert J. Warner

Typed or printed name(s)

Registration Number, if applicable

541-226-2656

Telephone Number

1008 SE JERRINE ST., GRANTS PASS, OR 97527

Address

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

## ENCLOSURES

☒

Maintenance Fee Payment

☒

Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)

☐

[Page 3 of 3]

OCT 13 2009

PTO/SB/66 (03-09)

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9/28/09

Date

Margaret A. Warner

Signature

MARGARET A. WARNER

Typed or Printed Name of Person Signing Certificate

(page 1 of 3)

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